

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

INFORMAL SESSION

March 10, 2008

The Board of Supervisors of Maricopa County, Phoenix, Arizona, convened in Informal Session at 2:00 p.m., March 10, 2008, in the Tom Sullivan Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Andrew Kunasek, Chairman, District 3; Max W. Wilson, Vice Chairman, District 4; Fulton Brock, District 1 (entered late); Don Stapley, District 2 and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager and Chris Keller, Chief Counsel, Civil Division. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

1. EXECUTIVE SESSION CALLED

Pursuant to A.R.S. §38-431.03, et.al., motion was made by Supervisor Wilcox, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to recess to executive session for the purpose of reviewing matters listed below on the March 10, 2008 Executive Session agenda, pursuant to the listed statutory references. All members remained in session when the meeting reconvened.

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – A.R.S. §38-431.03(A)(3) and (A)(4)

Compromise Cases – Barbara Caldwell, Outside Counsel

Marilyn Hidalgo Velasquez

~ Supervisor Brock entered the meeting ~

**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT DISCUSSIONS
CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – A.R.S. §38-431.03(A)(3) AND (A)(4)**

Qwest v. Arizona Department of Revenue, Maricopa County, et al, TX2001-000662

Keith Russell, County Assessor
Brian Hushek, Deputy Budget Director
Jerry Fries, Outside Counsel
Peter Crossett, Outside Counsel, **did not attend**
Kenneth Love, Assistant Attorney General
Anthony Vitagliano, Assistant Attorney General, **did not attend**
Jean Rice, Deputy County Attorney

**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT DISCUSSIONS
CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – A.R.S. §38-431.03(A)(3) AND (A)(4)**

Maricopa County Special Health Care District v. Maricopa County Treasurer (CV2008-004888)

Tom Irvine, Outside Counsel
Rebekah Francis, Outside Counsel
Chris Keller, Chief Counsel
Sandi Wilson, Deputy County Manager
Shawn Nau, Director, General Government
Hos Hoskins, County Treasurer
Steve Partridge, Chief Deputy County Treasurer

Chris Keller left the meeting for the following two items and Anne Longo, Assistant Chief Deputy, entered the meeting as counsel to the Board.

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – A.R.S. §38-431.03(A)(3) and (A)(4)

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The Phoenix New Times Notice of Claim v. Sheriff Arpaio, Dennis Wilenchik, and Andrew Thomas

James Brophy, III, Outside Counsel
Gerald Hickman, Outside Counsel
Peter Crowley, Risk Manager
Anne Longo, Deputy County Attorney

~ Chairman Kunasek handed the gavel to Supervisor Wilson,
left the meeting and would not return ~

Dean Wolcott entered the meeting as counsel to the Board and Anne Longo left the meeting.

**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT DISCUSSIONS
CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – A.R.S. §38-431.03(A)(3) AND (A)(4)**

Philip Keen v. Maricopa County, et al, Maricopa County Superior Court, CV2006-008666 Dorothy O’Connell v. David Smith, et al, formerly pending in Maricopa County Superior Court, CV2006-015091, currently pending in United States District Court, District of Arizona, CV07-0198 PHX-SMM

David Smith, County Manager, **did not attend**
Sandi Wilson, Deputy County Manager
Elizabeth Yaquinto, Director, Workforce Management and Development
Trisha Rough, Senior Claims Adjuster, Risk Management, **did not attend**
Wade R. Swanson, Outside Counsel
Peter Crowley, Risk Manager

Dean Wolcott left the meeting and Chris Keller re-entered the meeting as counsel to the Board.

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – A.R.S. §38-431.03(A)(3) and (A)(4)

American Federation of State, County and Municipal Employees (AFSCME) v. Maricopa County Board of Supervisors, et al.

Sandi Wilson, Deputy County Manager
Elizabeth Yaquinto, Director, Workforce Management and Development
Shawn Nau, Director, General Government
David Hendershott, Chief Deputy, Sheriff’s Office, **did not attend**
MaryEllen Sheppard, Deputy Chief, Sheriff’s Office, **did not attend**
Jack MacIntyre, Sheriff’s Office
Mark Ogden, Outside Counsel
Clarisse McCormick, Deputy County Attorney

UC Restaurant, LLC v. Maricopa County, CV05-1602

Peter Crowley, Risk Manager
Laurence Tinsley, Jr., Deputy County Attorney
Timothy Casey, Outside Counsel

Vertes & Mead v. Maricopa County, CV2007-017716

R.J. Cardin, Director, Parks and Recreation
Charles Kelhoffer, Outside Counsel
Kevin Costello, Deputy County Attorney

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MEETING ADJOURNED

After considering the above items and there being no further business to come before the Board, the meeting was adjourned.

Andrew Kunasek, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board